

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

LONDON-SIRE RECORDS INC., a Delaware corporation; ATLANTIC RECORDING CORPORATION, a Delaware corporation; BMG MUSIC, a New York general partnership; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; INTERSCOPE RECORDS, a California general partnership; UMG RECORDINGS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; CAPITOL RECORDS, INC., a Delaware corporation; VIRGIN RECORDS AMERICA, INC., a California corporation; and WARNER BROS. RECORDS INC., a Delaware corporation,

Plaintiffs,

v.

DOES 1-4,

Defendants.

CIVIL ACTION 04-12434 NG  
LEAD DOCKET NUMBER

**NOTICE OF DISMISSAL WITHOUT PREJUDICE OF DEFENDANT JOHN DOE IN  
THE MATTER FORMERLY KNOWN AS *VIRGIN RECORDS AMERICA, INC.* V. *DOE*,  
U.S. DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS, NO. 05-CV-10566**

Pursuant to Rule 41(a)(1)(i) of the Federal Rules of Civil Procedure, Plaintiffs hereby give notice of the dismissal without prejudice of the claims asserted against Defendant John Doe in the matter known prior to the Court's April 20, 2005 consolidation order as Virgin Records America, Inc. v. John Doe, U.S. District Court for the District of Massachusetts, No. 05-CV-10566.

This notice of dismissal shall have no effect on claims asserted against any other defendants in this matter.

LONDON-SIRE RECORDS INC.; ATLANTIC  
RECORDING CORPORATION; BMG MUSIC;  
ELEKTRA ENTERTAINMENT GROUP INC;  
INTERSCOPE RECORDS; UMG RECORDINGS,  
INC.; SONY BMG MUSIC ENTERTAINMENT;  
ARISTA RECORDS LLC; CAPITOL RECORDS,  
INC; VIRGIN RECORDS AMERICA, INC; and  
WARNER BROS. RECORDS INC.,

By their attorneys,

/s/ Jocelyn L. Heyman

Colin J. Zick (BBO No. 556538)

Gabriel M. Helmer (BBO No. 652640)

Jocelyn L. Heyman (BBO No. 660240)

FOLEY HOAG LLP

155 Seaport Boulevard

Boston, MA 02210-2600

Phone: (617) 832-1000

Fax: (617) 832-7000

Dated: October 18, 2005

Of Counsel:

Charles H. Cooper

SHOOK HARDY & BACON LLP

2555 Grand Blvd.

Kansas City, Missouri 64108

Phone: (816) 474-6550

Fax: (816) 421-5547